

Attorney Docket No.: RU-0174
Inventors: Bailey and Shao
Serial No.: 09/980,360
Filing Date: November 30, 2001
Page 3

This listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims:

Claim 1 (currently amended): A modified biodegradable microsphere comprising:

(1) a basic excipient incorporated into a biodegradable polymer to form a polymer matrix; and

(2) a drug encapsulated by said polymer matrix
wherein the basic excipient comprises a bicarbonate which minimizes degradation of ~~a drug encapsulated within said microsphere by maintaining a near neutral pH environment within the microsphere~~ the drug.

Claim 2 (original): The modified biodegradable microsphere of claim 1 wherein the drug comprises a protein or peptide.

Claim 3 (original): The modified biodegradable microsphere of claim 2 wherein the protein is insulin.

Claim 4 (original): The modified biodegradable microsphere of claim 1 wherein the biodegradable polymer comprises poly(L-lactic acid) or a copolymer thereof with D-lactic acid or glycolic acid.

Claim 5 (canceled).

Attorney Docket No.: RU-0174
Inventors: Bailey and Shao
Serial No.: 09/980,360
Filing Date: November 30, 2001
Page 4

Claim 6 (currently amended): A method of improving the release profile of a drug encapsulated within a biodegradable microsphere comprising incorporating a basic excipient into a biodegradable polymer to form a microsphere polymer matrix and encapsulating the drug within the polymer matrix to form a microsphere so that degradation of the drug encapsulated within said microsphere is minimized by the basic excipient which comprises a bicarbonate maintaining a near neutral pH environment within said microsphere.

Claim 7 (original): The method of claim 6 wherein the drug comprises a protein or peptide.

Claim 8 (original): The method of claim 7 wherein the protein is insulin.

Claim 9 (original): The method of claim 6 wherein the biodegradable polymer comprises poly(L-lactic acid) or a copolymer thereof with D-lactic acid or glycolic acid.

Claim 10 (canceled).

Claim 11 (currently amended): A method of delivering a drug to a patient comprising:

Attorney Docket No.: RU-0174
Inventors: Bailey and Shao
Serial No.: 09/980,360
Filing Date: November 30, 2001
Page 5

(1) encapsulating the drug in a biodegradable polymer ~~microsphere~~ matrix comprising a basic excipient incorporated into a biodegradable polymer to form a polymer microsphere wherein said a biodegradable polymer and a basic excipient comprises a bicarbonate which minimizes degradation of ~~a~~ the drug encapsulated within said microsphere, by maintaining a near neutral pH environment within said microsphere and

(2) administering the encapsulated drug to the patient.

Claim 12 (original): The method of claim 11 wherein the encapsulated drug is administered parenterally.

Claim 13 (original): The method of claim 11 wherein the drug comprises a protein or peptide.

Claim 14 (original): The method of claim 13 wherein the protein is insulin.

Claim 15 (original): The method of claim 11 wherein the biodegradable polymer comprises poly(L-lactic acid) or one of its copolymers with D-lactic acid or glycolic acid.

Claim 16 (canceled).